U.S. Department of Justice

CRM-890715P

Washington, D.C. 20530

NOV 15 1989

Mr. Harold Weisberg
7627 Old Receiver Road
Frederick, Maryland 21701

Dear Mr. Weisberg:

In processing your request for records about yourself, the Federal Bureau of Investigation (FBI) located two documents which originated in the Criminal Division of the Department of Justice, and referred those documents to us (via the Office of Information and Privacy), for our review and direct response to you.

These records were located in Justice/FBI-002. The Attorney General has promulgated regulations exempting this system from the access provisions of the Privacy Act. 28 C.F.R. 16.96. Thus you are not entitled to access under that statute. We have also processed your request under the Freedom of Information Act and will make all records available to you whose release is either required by that statute, or considered appropriate as a matter of discretion.

In light of our review, and per the recommendations of the FBI, we have determined to release both items in part. We are withholding the portions indicated of the items pursuant to one or more of the following FOIA exemptions set forth in 5 U.S.C. 552(b):

(2) which permits the withholding of information relating solely to the internal personnel rules and practices of an agency;

(6) which permits the withholding of personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy; and,

(7) which permits the withholding of records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information...

(C) could reasonably be expected to constitute an unwarranted invasion of personal privacy.

You have a right to an administrative appeal of this partial denial of your request. Department regulations provide that such appeals must be filed within thirty days of your receipt of this letter. 28 C.F.R. 16.8. Your appeal should be addressed to: The Office of Information and Privacy, United States Department of Justice, 10th Street and Constitution Avenue, N.W., Washington, D.C. 20530. Both the envelope and the letter should be clearly marked with the legend "FOIA Appeal." If you exercise this right and your appeal is denied, you also have the right to seek judicial review of this action in the federal judicial district (1) in which you reside, (2) in which you have your principal place of business, (3) in which the records denied are located, or (4) for the District of the District of Columbia.

Sincerely,

Frank R. Newett, Chief
Information Services Unit
Office of Enforcement Operations
Criminal Division